

AG Contract No. KR03-0091TRN
ADOT ECS File No. JPA 02-185-Amendment 1
Project: TEA 087-A-(003)A
TRACS: 087 PN 133 H6053 01C
Budget Source Item No : 75305
Section: **SR 87, Northern
(SR 287 Multi-Use Pathway
and Landscaping)**

**AMENDMENT NO. ONE (1)
INTERGOVERNMENTAL AGREEMENT**

BETWEEN
THE STATE OF ARIZONA
AND
THE CITY OF COOLIDGE

THIS AGREEMENT is entered into the 27th of January, 2005 pursuant to Arizona Revised Statutes Sections 11-951 through 11-954, as amended between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the CITY OF COOLIDGE, acting by and through its City Manager and City Council (the "City").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-401 to enter into this Agreement and has resolved to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State

2. The City is empowered by Arizona Revised Statutes Section 48-572 to enter into this Agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the City.

The purpose of this Amendment is to expand the limits of the scope regarding the maintenance of the multi-use pathway constructed on the east side of SR 87 between the Grande Vista Hotel and Ho-Ho-Kam Park

THEREFORE, in consideration of the mutual Agreements expressed herein, this Agreement is amended as follows:

Article II. (2)(e) Has been added as follows:

e Upon completion of the construction of the multi-use pathway, the City hereby agrees to properly maintain the pathway at it's own cost, and as an annual item in the City's budget. Maintenance will include but not limited to; keeping the pathway surface and surrounding areas free of all debris, undesirable weeds and grasses, trash and litter. The Multi-use pathway surfaces will be repaired or replaced as necessary to correct trip hazards, and any erosion around the pathway be maintained to the final grade at time of completion of the Project. Replacement or repair of pathway signage constructed with the Project shall also be included in the maintenance.

EXCEPT AS AMENDED herein, all other terms and conditions of the original Agreement remain in full force and effect

NO. 26839
Filed with the Secretary of State
Date Filed: 01/27/05

Janice K. Brewer
Secretary of State

By: Dick D. Graenewold

#61

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.


CITY OF COOLIDGE

By 
ROBERT F. FLATLEY
City Manager

STATE OF ARIZONA
Department of Transportation

By 
SUSAN TELLEZ
Contract Administrator

ATTEST

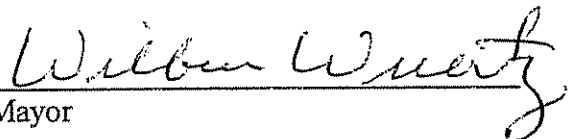
By 
NORMA ORTIZ
City Clerk

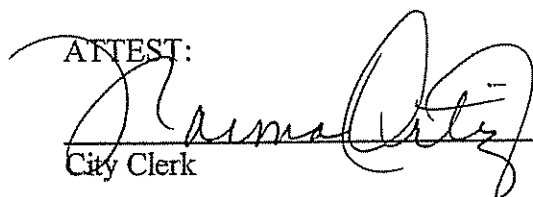
RESOLUTION NO. 04-26

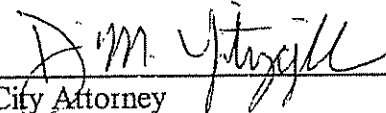
A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF COOLIDGE, ARIZONA AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF COOLIDGE AND THE STATE OF ARIZONA DEPARTMENT OF TRANSPORTATION FOR THE DESIGN AND CONSTRUCTION OF A MULTI-USE PATHWAY AND LANDSCAPING ALONG THE EAST SIDE OF ARIZONA BLVD (SR 87) BETWEEN HOHOKAM PARK AND THE GRANDE VISTA HOTEL.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Coolidge, Arizona, that the City Manager is hereby, authorized and directed to execute and deliver an Intergovernmental Agreement between the City of Coolidge and the State of Arizona Department of Transportation for the design and construction of a multi-use pathway and landscaping along the east side of Arizona Boulevard (SR 87) between HoHoKam Park and the Grande Vista Hotel.

PASSED AND ADOPTED by the Mayor and Common Council of the City of Coolidge this 26th day of April, 2004.


Mayor

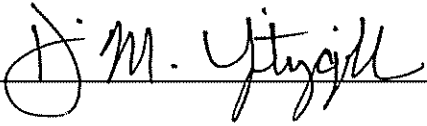
ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

APPROVAL OF THE CITY OF COOLIDGE ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the CITY OF COOLIDGE and declare this agreement to in proper form and within the powers and authority granted to the City under the laws of the State of Arizona. No opinion is expressed as to the authority of the State to enter into this agreement.

DATED this 5th day of January, 2007.


Attorney



OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

TERRY GODDARD
ATTORNEY GENERAL

CIVIL DIVISION
TRANSPORTATION SECTION
WRITER'S DIRECT LINE: 602.542.8855


INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. KR03-0091TRN (**JPA 02-185, Amendment No. One**), an Agreement between public agencies, i.e., The State of Arizona and The City of Coolidge, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED: January 18, 2005

TERRY GODDARD
Attorney General


Susan E. Davis
Assistant Attorney General
Transportation Section